

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 11/21/2023

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TROY D. BERTRAND,

Plaintiff,

-v-

DEPARTMENT OF EDUCATION, ARCHDIOCESE OF :
NEW YORK, ET AL., :

Defendants. :
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22-cv-10445 (LJL)

ORDER

LEWIS J. LIMAN, United States District Judge:

A hearing on the settlement was held on November 21, 2023 and memorialized by transcript. For the reasons stated at that hearing, the Court finds that the settlement is fair and reasonable and approves Plaintiff's counsel's request for attorneys' fees and costs. *See Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 199, 206–07 (2d Cir. 2015); *Wolinsky v. Scholastic, Inc.*, 900 F. Supp. 2d 332, 335–36 (S.D.N.Y. 2012); *see also Fisher v. SD Protection Inc.*, 948 F.3d 593, 600 (2d Cir. 2020). Additionally, the Court concludes that the general release provisions are acceptable for the reasons stated at the hearing, including that the provisions are mutual and that Plaintiff is no longer employed by Defendants. *See Strauss v. Little Fish Corp.*, 2020 WL 4041511, at *5 (S.D.N.Y. July 17, 2020) (discussing the requirements for adequately justifying non-economic terms in a settlement agreement, including a general release of claims provision).


Accordingly, it is hereby ORDERED that this action is DISMISSED without costs and without prejudice to restoring the action to the Court's calendar, provided the application to restore the action is made within thirty (30) days of this Order. Any application to reopen filed

after thirty (30) days from the date of this Order may be denied solely on that basis.

The motion at Docket Number 58 is GRANTED, and all conferences and deadlines are CANCELLED.

SO ORDERED.

Dated: November 21, 2023
New York, New York



LEWIS J. LIMAN
United States District Judge